

**FILED**

JAN 24 2007

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID J. CATALDO,

No. C 06-7799 MHP (pr)

Plaintiff,

**ORDER OF TRANSFER**

v.

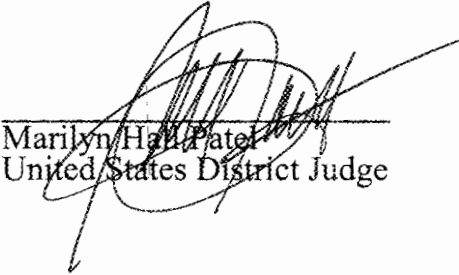
Warden JAMES A. YATES; et al.,

Defendants.

David J. Cataldo filed this pro se civil rights action under 42 U.S.C. § 1983, complaining of acts and omissions at the Pleasant Valley State Prison in Coalinga, in Fresno County, California. Fresno County is within the venue of the Eastern District of California. Defendants are employed at Pleasant Valley and apparently reside in the Eastern District of California. Venue therefore properly lies in that district and not in this one. See 28 U.S.C. § 1391(b). Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter.

IT IS SO ORDERED.

DATED: January 23, 2007

  
Marilyn Hall Patel  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

DAVID T. CATALDO,

Plaintiff,

v.

JAMES A. YATES et al,

Defendant.

---

Case Number: CV06-07799 MHP

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 24, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

David J. Cataldo T-79908  
Pleasant Valley State Prison  
P.O. Box 8504  
Coalinga, CA 93210



Dated: January 24, 2007

Richard W. Wieking, Clerk  
By: Edward Butler, Deputy Clerk